

### REMARKS

This application has been reviewed in light of the Office Action dated May 18, 2007. Claims 55, 58-60, 63-65 and 68-70 are presented for examination, of which Claims 55, 60 and 65 are in independent form. Claims 55, 60, 65, 68 and 69 have been amended to define still more clearly what Applicant regards as his invention. Claim 70 has been canceled without prejudice or disclaimer of subject matter. Favorable reconsideration is requested.

Claims 65, 68 and 69 were rejected under 35 U.S.C. §101 on the ground that the claimed invention is directed to non-statutory subject matter because they are directed to a "computer program product." Without conceding the correctness of this rejection, Applicant has amended the rejected claims to recite a "computer-readable medium encoded with a control program" as suggested in the Office Action. It is believed that this rejection has been obviated, and its withdrawal is, therefore, respectfully requested.

Claims 55, 58-60, 63-65 and 68-70 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,580,177 (Gase et al.).

As shown above, Applicant has amended independent Claims 55, 60 and 65 in terms that more clearly define what he regards as his invention. Applicant submits that these amended independent claims, together with the remaining claims dependent thereon, are patentably distinct from the cited prior art for at least the following reasons.

Claim 55 is directed to an information processing apparatus in communication with one or more client apparatuses via a network. The information processing apparatus includes a determining means and a transmission controlling means. The determining means determines a plurality of client apparatuses on which a driver is to be set up. The transmission

controlling means controls operations to transmit, without waiting for a request from any client apparatus, to each of the plurality of client apparatuses determined by the determining means, a set-up instruction to set up a driver for that client apparatus and a test printing instruction to have the client apparatus execute test printing to check if the driver set-up for the client apparatus has been completed, via the network. The test printing is executed after the driver set up is executed at the client apparatus, and identification information of the plurality of client apparatuses is printed in the test printing at a printer corresponding to the set up driver.

One notable feature of Claim 55 is that the information processing apparatus transmits a driver to each of the plurality of client apparatuses without waiting for a request from any client apparatus. The driver distribution to the plurality of client apparatuses without requests from them leads, in prior art devices, to the necessity of visiting the plurality of client apparatuses to confirm whether the driver set up has been completed for each client apparatus. In order to solve this problem, the structure recited in Claim 55 provides that identification information of the plurality of client apparatuses is printed in the test printing at a printer corresponding to the set up driver. This feature is greatly effective especially in the driver distribution technology. A simple operation of giving a driver set up instruction allows the user to check which one(s) of the plurality of client apparatuses have completed the driver set up by inspecting a test printing sheet delivered by the printer (without the need to physically check the plurality of client apparatuses to confirm the driver set up status for each client apparatus).

Another very important feature of Claim 55 is that a test printing instruction is transmitted from the information processing apparatus to the client apparatuses via the network upon driver set up, and the test printing is executed subsequent to the driver set up at the client

apparatus.

Gase relates to a network including plural client processors, a file server and plural printers. The file server includes a memory for storing a most updated printer driver procedure for each printer type connected to the file server. In response to a print request from a client processor, the file server assigns a printer to the requesting client processor. If the client processor determines that a printer driver procedure in its memory for the assigned printer is not identical to a most updated printer driver procedure stored in the memory of the file server, the client processor causes alteration of its printer driver procedure to coincide with the most updated printer driver procedure. Gase discusses that the client processor contains a printer utility for determining network status and indicating to the user whether the network is available or unavailable. Gase further discusses that one system condition for effecting printer status is “printing test page.” However, Gase fails to consider or address the aforementioned problems solved by the structure recited in Claim 55. Applicants have found nothing in Gase that would teach or suggest “transmission controlling means for controlling operations to transmit, without waiting for a request from any client apparatus, to each of the plurality of client apparatuses determined by said determining means, a set-up instruction to set up a driver for that client apparatus and a test printing instruction to have the client apparatus execute test printing to check if the driver set-up for the client apparatus has been completed, via the network, wherein the test printing is executed after the driver set up is executed at the client apparatus, and wherein identification information of the plurality of client apparatuses is printed in the test printing at a printer corresponding to the set up driver,” as recited in Claim 55 (emphasis added).

Accordingly, Applicant submits that Claim 55 is allowable over Gase.

A review of the other art of record has failed to reveal anything which, in Applicant's opinion, would remedy the deficiencies of the art discussed above, as a reference against Claim 55.

Independent Claims 60 and 65 are method and computer program product claims, respectively, corresponding to apparatus Claim 55, and are believed to be patentable for at least the same reasons as discussed above in connection with Claim 55.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

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